

IV. B. 6. Important Farmlands

- a) Background. The Farmland Protection Policy Act (Public Law 98-98) became effective on December 22, 1981,

“.....to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses, and to assure that Federal programs are administered in a manner that, to the extent practicable, will be compatible with State, unit of local government, and private programs and policies to protect farmland.”

The U.S. Department of Agriculture passed its implementing regulation, Departmental Regulation DR 9500-3, “Land Use Policy”, shortly thereafter and assigned primary technical responsibility to the Natural Resources Conservation Service (NRCS). The NRCS in turn established the Land Evaluation and Site Assessment (LESA) system for use in the technical evaluation of proposed Federal actions which could result in the conversion of important farmlands of the United States. LESA was also intended to serve as a model for adoption by State and local governments in creating their own farmland protection systems. Rural Development environmental reviewers are expected to use the LESA system in analyzing farmland conversion impacts of proposed Rural Development actions.

Section 1540 (c) of the Farmland Protection Policy Act and DR 9500-3 established four general categories of farmlands meriting Federal protection. They are cumulatively referred to as “Important Farmland”. “Important Farmland” categories are: (1) Prime, (2) Unique, (3) Additional farmland of statewide importance, and (4) Additional farmland of local importance.

The intent of the LESA system analytical process is to not adversely impact the most important categories of “Important Farmlands” unless there is no practical alternative and not to serve as a draconian measure over State and local land use planning goals.





b) Governing Regulations.

(1) Federal.

- (a) U.S. Department of Agriculture, Departmental Regulation 9500-3, Land Use Policy.
- (b) Soil and Water Resources Conservation Act of 1977 (PL 85-182).
- (c) Renewable Resources Extension Act of 1978 (PL 95-306).
- (d) Federal Land Policy and Management Act of 1976 (PL 94-579).
- (e) Farmland Protection Policy Act of 1981 (PL 97-98).
- (f) Executive Order 11514, Protection and Enhancement of Environmental Quality.
- (g) Title 7, Part 1b and 1c, Code of Federal Regulations, U.S. Department of Agriculture's National Environmental Policy Act.
- (h) Farm Bill legislation.

(2) State.

- (a) Colorado Revised Statutes, Title 35, Article 72.

- c) Policy. Rural Development should advocate the retention of important farmlands whenever conversions to other uses are proposed, unless other needs clearly override the benefits described from retention of such lands. The Nation's farmland is a unique natural resource providing food and fiber necessary for the continued welfare of the people of the United States. Each year, a large amount of the Nation's farmland is irrevocably converted from actual or potential agricultural use to nonagricultural uses. The continued decrease in the Nation's farmland base may threaten the ability of the United States to produce food and fiber in sufficient quantities to meet domestic needs and demands of our export markets. The extensive use of farmland for nonagricultural purposes undermines the economic base of many rural areas.

Rural Development should not authorize, fund, or carry out a proposed action (1) involving the conversion of important farmland or (2) adversely affecting the unique values and benefits of farmland unless there is clearly no practical alternative to the action. Whenever a proposed action is determined to have the potential for impacting important farmland (including blowing soil), the U.S. Department of Agriculture, Natural Resource Conservation Service (NRCS), and local Soil Conservation District should be consulted, as appropriate, as early as possible in the environmental impact analysis.



process to evaluate the degree of impact, possible consequences, and protective requirements concerning the action.

Rural Development should initiate the Land Evaluation and Site Assessment (LESA) system as discussed in the handbook, *"Land Evaluation and Site Assessment: A guidebook for Rating Agricultural Lands"*, prepared by the NRCS and available from the Rural Development State Environmental Coordinator, whenever it is apparent that "Important Farmlands" (see paragraph (c) below) would be adversely impacted by a Rural Development proposed action. Sites with the highest combined LESA scores will be regarded as most suitable for protection from farmland conversion. The LESA process requires the accomplishment of the following steps:

- a. Step 1: Rural Development will contact the appropriate NRCS office regarding the existence of "Important Farmland" within the proposed project impact area.
- b. Step 2: If the NRCS responds that there would be no "Important Farmland" converted within the project impact area, Rural Development will proceed with the proposed action.
- c. Step 3: If the NRCS responds that there would be "Important Farmland" converted within the project impact area, Rural Development will initiate an additional evaluation process by submitting Form AD-1002, "Farmland Conversion Impact Rating" (Parts I and III already completed by Rural Development), to the appropriate NRCS office for the completion of Parts II, IV and V. (This form is available from either the NRCS or the State Environmental Coordinator.)
- d. Step 4: When the NRCS returns the form with Parts II, IV, and V completed, Rural Development will complete Parts VI and VIII and determine the total points scoring for the project site. Federal Register, Volume 49, No. 139 (Appendix A of the NRCS manual), will be used to score Part VI.
- e. Step 5: If, in Part VII of the form, the project site scores:
 - (1) Below 160: No further consideration for farmland conversion protection need be given. Rural Development may proceed with the proposed action.



- (2) 160 or more: Increasing higher levels of consideration for farmland conversion protection will be given by Rural Development. Rural Development personnel will consider:
 - (a) Alternative land with fewer farmland impacts.
 - (b) Alternative structures with fewer farmland impacts.
 - (c) Alternative siting requirements.

The accomplishment of the above LESA project steps will be incorporated into the preliminary public and private party notices required for prospective farmland conversion impacts in a similar manner to the discussions in Section IV.B.4. of this Guide.

d) Classification.

“Important Farmland” categories:

- (1) Prime farmland.

Land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion. Prime farmland includes land that possesses the above characteristics but is being used currently to produce livestock and timber.

All prime farmland in Colorado is so classified if irrigation is available.

- (2) Unique farmland.

Land other than prime farmland that is used for production of specific high-value food and fiber crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality or high yields of specific crops when treated and managed according to acceptable farming methods. Examples of such crops include citrus, nut trees, olives, cranberries, fruits, and vegetables.

Examples of Colorado unique farmland are soils used to support the potato crop in the San Luis Valley and for orchards in the Cedaredge area.



- (3) Additional farmland of statewide importance.

Farmland that is of statewide importance for the production of food, feed, fiber, forage, or oilseed crops, as determined by the appropriate State agency or agencies and with the concurrence of the Secretary of Agriculture.

- (4) Additional farmland of local importance.

Farmland that is of local importance for the production of food, feed, fiber, forage, or oilseed crops, as determined by the units of local government and with the concurrence of the Secretary of Agriculture.

- e) Agency Jurisdiction. The Natural Resource Conservation Service is the key Federal agency charged with classifying and maintaining data regarding important privately owned farmlands. Confer with the local Natural Resource Conservation Service Office regarding impacts to important farmlands of Federal, State, and Local concern.

The Colorado State Office contact for the NRCS is:

Natural Resource Conservation Service
Colorado State Office
State Resource Conservationist
655 Parfet Street
Room E200c
Lakewood, Colorado 80215

Contact: Timothy Wheeler, (303) 236-2886

<http://www.co.nrcs.gov/>



The Colorado Department of Agriculture also maintains data regarding important farmlands in private ownership affording special concern by the State of Colorado. The particulars of the Farmland Protection Policy Act do not apply to these lands unless they are classified by the NRCS as "important farmland" and a Rural Development action could potentially convert them from agricultural use.

The Colorado Department of Agriculture contact is:

Colorado Department of Agriculture
Resource Analysis Section
700 Kipling Street
Suite 4000
Lakewood, Colorado 80215

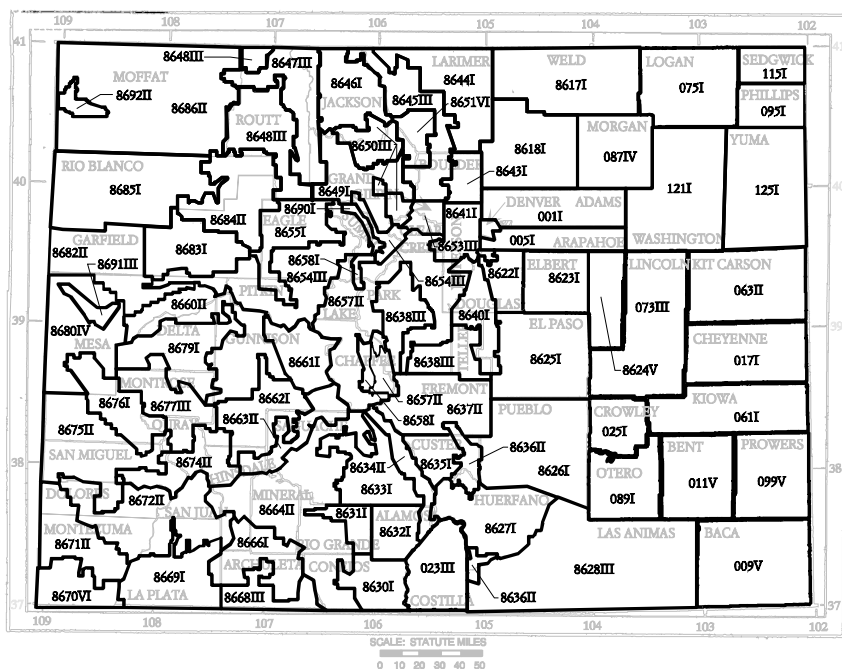
Contact: David Carlson, (303) 239-4112

<http://www.ag.state.co.us/>

- f) Location of Resource. Refer to the NRCS List of Published Soil Surveys (see attached map of Colorado, circa 1995) and Important Farmlands maps for farmland in specific counties. These are prepared by the NRCS in cooperation with Colorado State University and are available at all NRCS offices throughout the State. These maps inventory all categories of Important Farmland.



STATUS OF SOIL SURVEYS - COLORADO - MAY 1995

**LEGEND**

SURVEY	STATUS
I	MODERN PUBLISHED SOIL SURVEY
II	MAPPING COMPLETE, PUBLICATION PLANNED
III	MAPPING FOR PUBLICATION IN PROGRESS, COMPLETION DATE SET
IV	SOIL SURVEY UPDATE IN PROGRESS, COMPLETION DATE SET
V	MODERN PUBLISHED SOIL SURVEY, ONLY LIBRARY COPIES AVAILABLE
VI	MAPPING AND PUBLICATION PLANS INCOMPLETE
—	SOIL SURVEY BOUNDARY
8682	SOIL SURVEY AREA NUMBER

[SOURCE: USDA, NRCS, NATIONAL CARTOGRAPHY & GIS CENTER, FORT WORTH, TEXAS 1995]

NATURAL RESOURCES CONSERVATION SERVICE**SOIL SURVEY AREAS****NAME OR DESIGNATION****SERIES CODE**

Adams County
Arapahoe County*
Baca County*
Bent County*
Cheyenne County
Costilla County
Crowley County*
Denver County
Kiowa County
Kit Carson County
Lincoln County
Logan County
Morgan County*
Otero County
Phillips County
Prowers County*
Sedgwick County
Washington County
Yuma County
Weld County (Northern Part)
Weld County (Southern Part)
Castle Rock Area
Elbert County (Western Part)
Elbert County (Eastern Part)*
El Paso County Area
Pueblo Area
Huerfano County Area
Las Animas County Area
Conejos County Area
Rio Grande County Area
Alamosa Area*
Saguache County Area
Sangre de Cristo Area
Custer County Area
Wet Mountains and Spanish Peaks Area
Fremont County Area
Teller-Park Area
Pike National Forest (Eastern Part)

Golden Area
Boulder Area
Larimer County Area
Roosevelt-Arapahoe-Routt N.F. Area
Jackson County Area
Routt National Forest Area
Routt County Area
Grand County Area
Willow Creek Pass Area
Rocky Mountain National Park
Georgetown Area
Holy Cross Area
Aspen-Gypsum Area
Pike and San Isabel N.F. (Northern Part)
Chaffee-Lake Area
Grand Mesa-West Elk Area
Taylor River Area
Gunnison Area
Cochetopa Area
Rio Grande N.F. (Western Part)
Piedra Area
Archuleta County Area
La Plata County Area
Ute Mountain Area
Cortez Area
Animas-Dolores Area
Ouray Area
San Miguel Area
Uncompahgre Area
Ridgway Area
Paonia Area
Mesa County Area
Douglas-Plateau Area
Rifle Area
Flat Tops Area
Rio Blanco County Area
Moffat County Area
Trout Creek Area*
Summit County Area
Grand Junction Area
Dinosaur National Monument

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*Library copies only of Soil Survey



The NRCS now maintains a web-site which discusses the status of soils surveys within the State of Colorado @

<http://co.nrcs.gov/soil/index.html>

g) Other references.

1) USDA/RUS Environmental Program Library

(Full text of the Farmland Protection Policy Act)

<http://www.usda.gov/rus/water/ees/toc.htm#Statutes>

2) USDA/RUS Environmental Program Library

(Full text of Departmental Regulation 9500-3, "*Land Use Policy*")

[http: ://www.usda.gov/rus/water/ees/toc.htm#Regulations](http://www.usda.gov/rus/water/ees/toc.htm#Regulations)